



United States
Department of
Agriculture

Forest
Service

Sawtooth National Forest
Minidoka Ranger District

3650 South Overland Ave.
Burley, ID. 83318-3242
208-678-0430
Fax: 208-677-4878

5/003/055

File Code: 2810

Date: April 14, 2003

Interstate Rock Products
P.O. Box 821010
Vancouver, WA 98682-0023

Mr. Michael Pauletto
11204 NW 37th Court
Vancouver, WA 98685

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Dear Mr. Cates and Pauletto:

On July 19, 2002 this office issued a Notice of Noncompliance to you for failure to have an approved plan of operations and for failure to complete reclamation of unauthorized disturbance. Although you have expressed continued interest in pursuing approval of your plan of operations, we have not received any further documentation from you nor have you clarified the relationship between Interstate Rock Products and the reclamation bondholder, I & P Investments, as we requested in our letter of December 16, 2002.

Since the plan of operations has not been approved for this project, you remain in noncompliance with 36 CFR 228.5(a) Subpart A:

“Operations shall be conducted in accordance with an approved plan of operations, except as provided in paragraph (b) of this section and in 228.4(a), (b), and (e).”

Because it has been over 2½ years since the disturbance was created, reclamation must begin as soon as possible regardless if you still wish to pursue approval for your plan of operations. Specifically, we request that the quarry area and a short section of access road to the quarry and the section of the road through the damaged spring area be reclaimed by May 15, 2003 (see attached map). Since Bonneville Quarries (Bown) is seeking approval to utilize the remainder of the road, reclamation of this part will not be required at this time. We are working with Bonneville Quarries to incorporate it into their plan of operations and to assume the reclamation responsibility for it.

Reclamation must include the following mitigation:

1. Because of the damage to the archeological site at the spring area, a Forest Service or a Forest Service approved archeologist must be on site during reclamation to ensure that no further damage to the archeological site occurs.
2. The exposed spring needs to be armored with rock and recovered with soil from the existing disturbed area.

RECEIVED

APR 16 2003



Caring for the Land and Serving People


DIV. OF OIL, GAS & MINING
Printed on Recycled Paper

3. All restoration work should be accomplished with minimal disruption to the flow or disturbance to the substrate in the immediate vicinity of the spring since a lot of disturbance has already occurred just above the spring.
4. Care must be taken not to compact soils on and around the spring area during reclamation activities.
5. Steep sections of reclaimed road should be recontoured with waterbars if needed to prevent surface flow from following the road.
6. Because of the damage created within the spring area, this area will need to be fenced after re-contouring to allow it to recover quickly. This fence will also need a gate to allow access to original riparian crossing, which will be utilized until the Bonneville Quarries plan of operations is approved. We currently have an estimate for \$1865.00 for completion of fencing, but we have not completed the necessary biological and archeological studies that would need to be done before the fencing could be installed. Once these studies are complete, you will be required to either install the fencing under direct Forest Service supervision or provide the necessary funding to allow the Forest Service to install the fencing on its own.
7. The following certified weed-free seed mix (4 lbs./acre) must be used on reclaimed areas:
 - a. Festuca idahoensis - Idaho Fescue
 - b. Oryzopsis hymenoides - Indian Rice Grass
 - c. Agropyron trachycaulum - Slender Wheatgrass
 - d. Lupinus argenteus - Lupine
 - e. Penstemon humilis - Penstemon
8. The reclaimed quarry area must be regarded to original contour. Topsoil, if available, must be spread over the recontoured quarry. The recontoured quarry must then be ripped along contour to prevent erosion and encourage establishment of vegetation.

If the above items are not completed by May 15, 2003, the Sawtooth National Forest will begin reclamation on its own and will begin action to take the reclamation bond posted for this project to cover the cost of performing reclamation.

If you have any questions or comments, you may contact Steve Flock, Minerals Management Specialist, at the above address or telephone number.

Sincerely,



SCOTT C. NANNENGA
Minidoka District Ranger

Enclosure:

1. Reclamation Map

cc. Bonneville Quarries, Inc.
Attn: Mr. Bill Bown
842 West 400 North
West Bountiful, UT 84087

Utah Division of Oil, Gas, and Mining
Attn: Mr. Lynn Kunzler
1594 West North Temple
Suite 1210
P.O. Box 145801
Salt Lake City, UT 84114-5801

Terra Resources, LLC
Attn: Mr. Jeff Sagers
2016 S. Montana Ave.
Provo, UT 84606

Terra Resources, LLC
Attn: Mr. Jeff Sagers
245 S. Orange St.
Salt Lake City, UT 84104

Heritage Stone
Attn: Mr. Dennis Jorgenson
1111 N. 200 West
#58
Ogden, UT 84404

